

Draft of 2/3/16

Chadds Ford Township
Delaware County, PA

Board of Supervisors' Regular Meeting
Tuesday, January 5, 2016
7:00PM

Call to Order

The Regular Meeting was called to order at 7:01PM. Chairman Frank Murphy, Vice Chairman Samantha Reiner and Supervisor Noelle Barbone were present. Ms. Amanda Serock, Manager, Mr. Michael Maddren, Solicitor, Mr. Michael Schneider, Engineer and Mr. Matt DiFilippo Assistant to the Manager/ Township Secretary were also present. (25) people from the public were present.

Announcements

Chairman Murphy announced the police report. Supervisor Barbone announced the second Vision Workshop to be held on Thursday, January 28, 2016 at 6:30PM.

Approval of Minutes

Vice Chair Reiner's motion to adopt the Workshop minutes of Tuesday, November 24, 2015 with an amendment to add the word "loop" under the item New Business: SALDO Application, Henderson Group was seconded by Chairman Murphy. Supervisor Barbone abstained from the vote as she was not a sitting Supervisor. The motion passed 2-0-1.

Vice Chair Reiner's motion to adopt the Regular Meeting minutes of Wednesday, December 12, 2015 with an amendment to correct the Sewer Authority meeting date to December 15th was seconded by Chairman Murphy. Supervisor Barbone abstained from the vote as she was not a sitting Supervisor. The motion passed 2-0-1.

Supervisors' Report

Vice Chair Reiner reported an executive session on Wednesday, December 9, 2016 to discuss Personnel matters. Chairman Murphy congratulated the new Board members.

Manager's Report

Manager Serock submitted a written report. She announced a joint meeting between the Sewer Authority and the Board of Supervisors on Tuesday, January 19, 2016, the Vision Workshop on Thursday, January 28, 2016, and updates to security measures at the Township building.

Treasurer's Report

Secretary DiFilippo presented the Treasurer's Report. A written report and hardcopies of the Township's financial status for the month of December 2015 were provided by Manager Serock.

Vice Chair Reiner's motion to approve General Fund expenditures in the amount of \$76,264.81 was seconded by Supervisor Barbone and passed unanimously.

Engineer's Report

Engineer Schneider submitted a written report. He announced an inspection of Carriage Path, continued inspections at the Brandywine Mills shopping Center, a meeting for release of security improvements related to the Estates at Chadds Ford and the issuance of grading and septic permits.

Chairman Murphy announced that in the past the Board has identified problems along Township roads throughout the Township and that a goal in 2016 is to follow through with what the municipality can do to improve the identified problems throughout the Township. Engineer Schneider was asked by the Township to provide an estimate to update the road map to reflect traffic features.

Vice Chair Reiner inquired about the release of the remainder of David Dodge's letter of credit. Engineer Schneider responded that the core issue is that a parking lot was supposed to be constructed if and when David Dodge could hook up to public sewer which hasn't happened at this point in time. Vice Chair Reiner expressed concern that it needs to be deemed a complete request by ensuring the release request was received via certified mail and to not allow 45 days to pass without a response from the Township.

Solicitor's Report

Chairman Murphy discussed the possibility of including a solicitor's report at the regular meetings.

Public Comment

Salvatore Faia, Evergreen Place, expressed strong disapproval of the Township approving the completion of Hillman Drive, the fourth "loop" road around the intersection of Wilmington and Baltimore Pikes, citing dangerous conditions if the road is completed because it's the only section of the loop roads around the major intersection that currently has residential development access, specifically the Estates at Chadds Ford and Painters Crossing comprising of approximately 300 residences. Chairman Murphy asked if Mr. Faia was opposed to any connection or just the current design. Mr. Faia confirmed that he was opposed to any connection or road completion. Chairman Murphy inquired if Mr. Faia would be amenable to the completion of the road if tractor trailer traffic was diverted to which Mr. Faia responded that that couldn't be enforced. Chairman Murphy also asked Mr. Faia if the completion of the road wouldn't benefit current residents allowing them to safely access Baltimore Pike heading south to which Mr. Faia responded no and that residents can head south on Baltimore Pike via Dickinson Drive or the traffic light at Wilmington and Baltimore Pikes. Supervisor Barbone inquired if traffic calming measures would be helpful to which Mr. Faia responded no stating that speed bumps and traffic circles only cause drivers to slow down and then speed up again. Additionally, the following residents commented in opposition of the completion of the "loop road," Hillman Drive Extension: Zhuge Xing, Magnolia Way, Larry Moore, Poplar Road and Vicki Hoxter, Painters Crossing.

Chairman Murphy announced that not only the Township, but PennDot and private property owners are involved and future public meetings will be held.

Old Business: SALDO Application, 2015 Hillman Drive Extension

Mark D'Amico, Solicitor, commented on the history of the application and introduced the professionals representing the Henderson Group: Chuck Olivo, Engineer, John Coyle, Solicitor, and Mark Eisenhardt, Vice President of Land Development. A meeting earlier today with PENNDOT at the Township building was reported. Mr. Olivo reported that he had been tasked to sketch out a couple alternatives. No updated sketch plans have been shared with the Township. Chairman Murphy confirmed that the Township is not actively involved in a design for the road and that PENNDOT met with the Henderson Group earlier today at the Township Building and the meeting was attended by the Township Manager and Supervisor Reiner. Chairman Murphy continued stating that there is a plan in front of the Township and the deadline for the Township to take action is January 12th. Vice Chair Reiner commented that she is encouraged by the sketches to be offered for public view by the applicant in hopes of seeing a sketch that offers a future loop road away from existing homes that provides safe access and employs multiple means of traffic calming devices. Vice Chair Reiner continued that she is prepared to offer the applicant a 30-day extension to devise such a sketch. Mr. D'Amico pleaded that a 30-day extension would be woefully inadequate. Chairman Murphy commented that he would be amenable to 60 or 90 days.

Motion to Allow Township 60-Day Extension to Render a Decision

Vice Chair Reiner's motion to allow the applicant, the Henderson Group, to offer the Township a 60-day extension until Friday, March 4, 2016, to provide the Township with an updated sketch plan, and allow the Township more time to render a decision, was seconded by Supervisor Barbone.

Public Comment: 60-Day Extension Motion

Salvatore Faia, Evergreen Place, respectfully suggested that the applicant's request be denied.

Chairman Murphy responded that he is not prepared to deny the application because every resident and business owner in the Township should be treated fairly.

Chairman Murphy and Mr. Olivo, Engineer for the applicant discussed the preparation of a sketch plan ready within 60 days for public view.

Vice Chairman Reiner commented that more than one sketch can be expected because Estates and Painters Crossing residents express concern. She also commented that a well-versed traffic engineer will be reviewing the sketch and answers will be available at the upcoming meetings when the sketch is submitted and ready for public view.

Lisa Vonderstuck, Baltimore Pike, antique store owner at Painter's Crossings' drive way and Baltimore Pike, commented that she believes the loop road is important to alleviate the traffic congestion and make it easier and safer for residents to turn left on Baltimore Pike heading south.

Craig Huffman, Harvey Road, Township Planning Commission Chairman, commented that the Planning Commission denied recommending the plan because it was so far afield from a workable plan. He

suggested that once the Board of Supervisors reviews the plan that it be sent back to Planning to stick with the process of being recommended by Planning.

Supervisor Barbone commented that she had heard from residents at the Estates and Painters Crossing while campaigning and these concerns from the residents need to be considered.

John Coyle, solicitor for the applicant, clarified what tasks the Board was requesting the applicant to accomplish within 60 days.

There was discussion amongst the Board about upcoming meeting dates and who would be present or absent. Vice Chair Reiner withdrew her motion to offer the applicant a 60-day extension.

Motion to allow Township Extension until April 6, 2016

Vice Chair Reiner's motion to accept the applicants' offer of an extension to the Township to render a decision until Wednesday, April 6, 2016 was seconded by Supervisor Barbone and passed unanimously.

Chairman Murphy announced that at the Wednesday, February 24th Workshop the applicant, the Henderson Group, will be on the agenda to unveil updated sketch plans of the road and encouraged the public to attend. He asked Township staff to advertise the workshop as a public presentation of a plan regarding the Hillman Drive extension with a possible decision on the item at the future regular meeting date of Wednesday, April 6, 2016.

New Business: Street Name Change Request – Henderson Group (Endo Blvd to Mighty Oak Lane)

Manager Serock reported the request that the Henderson Group would like to change the name of Endo Boulevard to Mighty Oak Lane. Mark Eisenhardt, Henderson Group, explained that a new company was moving in and wanted to change the name of the private street. Chairman Murphy requested that the motion be contingent upon the Henderson Group reimbursing the Township for fees associated with the name change such as updating Township maps to which Mark Eisenhardt was agreeable.

Vice Chair Reiner's motion to approve the applicants request to change Endo Boulevard to Mighty Oak Lane with Township expenses not to exceed \$5,000 related to the street name change to be reimbursed by the applicant was seconded by Supervisor Barbone and passed unanimously.

New Business: 2016 – 12: Professional Fee Schedule

Vice Chair Reiner's motion to approve Resolution 2016 – 12, Professional Fee Schedule, was seconded by Supervisor Barbone and passed unanimously.

New Business: Delaware County Act 247 Review Application(s): Harrier LLC/ Zoning Change Proposal for Newly Created Lot on 202 from PBC to PBC1 (*Application has not been sent to County, yet)

Michael Dignazio, Solicitor representing Harrier, LLC, reviewed the history of the application. Solicitor Maddren and Mr. Dignazio discussed the timing of forwarding such an Act 247 application requesting a change in zoning to the County's Planning Department for review. Solicitor Maddren added that the application will be sent to the county with a cover letter from the Township stating that the Township has taken no action or a position on the application to rezone the parcel in question. Vice Chair Reiner added that the Township followed a process not to automatically rubber stamp all Act 247 applications

that request zoning change and that the Township should continue to follow such a policy unless the application is in compliance with the current zoning of any parcel in question.

Supervisor Reiner's motion to authorize the Township Secretary to execute the Act 247 application under the condition that it's sent to the county with a cover letter stating the Township has taken no action or position on the specific application was seconded by Supervisor Barbone and passed unanimously.

New Business: Temporary Sign Resolution

Chairman Murphy's motion to extend Resolution 2015 – 06, Temporary Sign Resolution, previously passed on January 5, 2015, for a period not to exceed 45 days from today's meeting (February 19, 2016), was seconded by Supervisor Barbone and passed unanimously. Manager Serock noted that an updated Resolution would be on the February 3rd agenda.

Vice Chair Reiner recommended an ordinance committee.

Committee Reports

Chairman Murphy announced that committee reports had been received, specifically pointing out the Fire Marshal's report.

ZHB Solicitor Appointment

Vice Chair Reiner's motion to appoint Frank Sbandi as the Township's ZHB solicitor from January – June 2016 was seconded by Chairman Murphy and passed unanimously.

Public Comment

Chairman Murphy announced that the Board is exploring expanding the HARB's duties to include forming a Historical Commission to protect and preserve the history of the Township.

Supervisor Reiner announced the PSATS training seminars for newly elected officials and the PSATS convention in April 2016.

Adjournment

Chairman Murphy's motion to adjourn the meeting at 8:48PM was seconded by Vice Chair Reiner and passed unanimously.

Respectfully submitted,

Matt DiFilippo

Assistant to the Manager/ Township Secretary